

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FRANKLIN T. HOWARD,	)	No. C 05-0021 MMC (PR)
	)	
Plaintiff,	)	<b>ORDER OF DISMISSAL</b>
	)	
v.	)	
	)	
CITY OF DANVILLE, et al.,	)	(Docket No. 2)
	)	
Defendants.	)	

Plaintiff, an Alameda County Jail inmate, filed this pro se civil rights action on January 3, 2005. On that same day, the Court notified plaintiff in writing that the action was deficient due to the failure to pay the requisite filing fee or, instead, submit a completed court-approved in forma pauperis ("IFP") application, and he was advised that failure to pay the filing fee or to file a completed IFP application within thirty days would result in dismissal of this action. Specifically, he was informed that the IFP application failed to include the requisite certificate of funds form completed by an authorized jail official and jail trust account statement. Along with this notice, plaintiff was sent a copy of the Court's IFP application, instructions for completing it, and a return envelope. Plaintiff was cautioned that failure to either pay the filing fee or return the certificate of funds and trust account statement within thirty days would result in the dismissal of this action. More than thirty days have passed and no response has been received from plaintiff. Accordingly, this action is DISMISSED without prejudice. The incomplete application to proceed in forma pauperis is DENIED.

The Clerk shall close the file and terminate docket number 2.

IT IS SO ORDERED.

DATED: May 17, 2005

/s/ Maxine M. Chesney  
MAXINE M. CHESNEY  
United States District Judge